



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 06 2019

CERTIFIED MAIL # 7016 1970 0000 9792 0936
RETURN RECEIPT REQUESTED

Leon Lomakema, CSA
Village of Shungopavi
P.O. Box 444
Second Mesa, AZ 86043

Re: Conditional Approval of Compliance Plan
Federal Administrative Order
Shungopavi Public Water System

Dear Mr. Lomakema:

Thank you for your submittal of the Shungopavi Village (Village) Compliance Plan dated January 3, 2019. Submittal of the Compliance Plan was a requirement of Paragraph 29 of the Administrative Order (Order), (Docket No. PWS-AO-2018-6002). The Order was issued to the Village by the U.S. Environmental Protection Agency (EPA) on October 3, 2018, for violations of the Safe Drinking Water Act's (SDWA) arsenic maximum contaminant level (MCL) at the Shungopavi Public Water System (System), Public Water System Identification Number: 090400259.

The Compliance Plan states that the Hopi Arsenic Mitigation Project (HAMP) is the proposed project to remedy the arsenic MCL violations. The HAMP is a new regional water system that is expected to be able to deliver SDWA-compliant water to the Village via a new waterline. EPA appreciates that the Hopi Tribe and the Village have taken steps toward development of the HAMP.

EPA provides approval of the Compliance Plan, with the following condition:

The Compliance Plan must describe the Village's commitment to take actions required to support the HAMP Milestone Schedule, which was included as a component of the Compliance Plan.

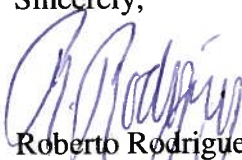
Specifically, the Village must provide Indian Health Service (IHS) with letters of approval for pipeline, storage tank, and/or booster station locations, in order for the HAMP to remain on schedule. The Village must send IHS an approval letter for these locations by June 15, 2019 (prior to archeological review). If there are changes to the planned locations as a result of findings from the archeological review, the Village must send IHS an approval letter for the revised locations by November 1, 2019.

Please resubmit the Compliance Plan with these commitments incorporated, preferably in the "Actions to be Taken" section of the Compliance Plan. Please note that Paragraph 29 of the Order says that Compliance Plan deficiencies identified by EPA shall be addressed by the Respondent within 15 days of notification by EPA; however, in this case, **EPA will allow the Village 45 days from receipt of this letter to resubmit the Compliance Plan.**

It is EPA's understanding that the Village is already coordinating with IHS on efforts to approve the locations. EPA is encouraged by Village's actions to keep the project moving forward.

If you have any questions pertaining to the compliance requirements of the Order, please contact Hillary Hecht in our SDWA Section, at 415-947-4266. Legal questions should be directed to Janet Magnuson in the EPA Region 9 Office of Regional Counsel, at 415-972-3887.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roberto Rodriguez", is written over the typed name.

Roberto Rodriguez, Manager
SDWA Section
Enforcement and Compliance Assurance Division

cc: Timothy Nuvangyaoma, Chairman, Hopi Tribe
Fredrick Lomayesva, Attorney, Village of Shungopavi